

01-23-02

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01/15/02  
01/05/3245  
01/15/02

BARRY R. LIPSITZ  
DUGLAS M. McALLISTER

**BOX PATENT APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUATION OR DIVISION  
OF AN INTERNATIONAL APPLICATION**

Sir:

This is a request for filing a *continuation* application under 37 C.F.R. 1.53(b), of pending prior international application number PCT/EP00/06126 filed on June 30, 2000 which designated the United States.

Inventor(s):

Gebhard Herrmann whose address is **Dellenweg 7, DE-78597 Irndorf, Germany**  
and whose citizenship is: **Germany**

Markus Nesper whose address is **Rotestrasse 23, DE-78532 Tuttlingen, Germany**  
and whose citizenship is: **Germany**

Dieter Weisshaupt whose address is **Bachzimmerer Oesch 10, DE-78194 Immendingen, Germany**  
and whose citizenship is: **Germany**

Title: **SURGICAL CLIP**

**APPLICATION ELEMENTS:**

- (1)  Patent Application Specification, including Abstract and claims - 17 pages  
(2)  Two (2) sheet(s) of **formal drawings**, together with transmittal letter  
(3)  A check in the amount of \$\_\_\_\_\_ to cover the [ ] filing fee(\$ .00 )  
and/or [ ] Assignment Recordal Fee (\$\_\_\_\_\_) is enclosed.

- [ ] Before calculating the fee, cancel claim(s)  
[ ] Before calculating the fee, see copy of Preliminary Amendment filed.

## BOX PATENT APPLICATION

Commissioner for Patents

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January 15, 2002

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Basic Fee							\$ 740.00
Multiple Dependent Claims (\$260.)							
Foreign Language Surcharge (\$130.)							
	For	No. Filed	-	No. Extra		Rate	
EXTRA	Total Claims	23	20	3	x	\$18.	= \$ .00
CLAIMS	Independent Claims	1	3	0	x	\$84.	= \$ .00
<b>TOTAL FILING FEE</b>							= \$ .00

- (4) [ ] Declaration and Power of Attorney form
- a. [ ] Newly executed
  - b. [ ] Copy from a prior application
  - c. [ ] Deletion of inventor(s) – signed statement attached deleting inventor(s) named in the prior application.
- (5) [ ] Small Entity Status

**ACCOMPANYING APPLICATION PARTS:**

- (6) [ ] Assignment document
- a. [ ] Newly executed (with \$40.00 recordal fee) and separate transmittal Form PTO-1595
  - b. [ ] Copy from a prior application
  - c. [ ] Please include assignee information when this application is published
- Assignee:
- (7) [ ] Preliminary Amendment
- (8) [ X] Certified Copy of Priority Document, together with separate transmittal letter
- (9) [ X] Information Disclosure Statement, together with PTO Form 1449 and copies of cited references
- (10) [ X] Return receipt postage prepaid postcard
- (11) [ X] Express Mail Certificate (Mailing Label No. EV 046687078 US)
- (12) [ X] Patent Application Data Entry Form
- (13) [ ] Other:

BOX PATENT APPLICATION

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(14) [ X ] Please amend the specification by inserting before the first line the sentence:

**“This application is a continuation of international application number  
PCT/EP00/06126 filed on June 30, 2000.”**

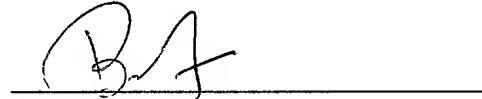
(15) [ X ] This application claims the benefit of German Patent Application  
No. 199 35 418.9 filed July 28, 1999.

(16) [ X ] Correspondence address:

**Barry R. Lipsitz  
Law Offices of Barry R. Lipsitz  
755 Main Street, Building 8  
Monroe, CT 06468  
Telephone: (203) 459-0200**

(17) [ X ] Pursuant to the provisions of 37 C.F.R. Sections 1.10 and 1.53, Applicants respectfully request that this application be assigned a serial number and a filing date of January 15, 2002, the date upon which the application was mailed to the Patent and Trademark Office by Express Mail (No. EV 046687078 US).

Respectfully submitted,



Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Bldg. 8  
Monroe, CT 06468  
(203) 459-0200

ATTORNEY DOCKET NO.: HOE-670  
Date: January 15, 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Herrmann et al. )  
Filed: Herewith )

For: SURGICAL CLIP

*EXPRESS MAIL CERTIFICATE*

## **BOX PATENT APPLICATION**

## **Commissioner for Patents**

**Washington, D.C. 20231**

"Express Mail" mailing label number **EV 046687078 US**

Date of Deposit: **January 15, 2002**

I hereby certify that the attached:

- Return receipt postage prepaid postcard;
  - Transmittal Letter (Request for Filing a Continuation or Division of an International Application), with attachment - 3 pages total;
  - Patent Application Data Entry form;
  - Patent Application Specification including Abstract and Claims (17 pages);
  - Two (2) sheets of formal drawings, together with transmittal letter;
  - Certified copy of priority document (German patent application no. 199 35 418.9), together with transmittal letter;
  - Information Disclosure Statement, together with Form PTO-1449, International Search Report for International patent application PCT/EP00/06126 and copies of cited documents.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and 1.53 on the date indicated above and is addressed to: **BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231**

Carol Prentice

(Typed or printed name of person mailing paper or fee)

gton, D.C. 20231  
Carol Prentiss  
(Signature of person mailing paper or fee)

Respectfully submitted,

*[Signature]*

Barry R. Lipsitz  
Attorney for Applicant(s)  
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755 Main Street, Bldg. 8  
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P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Herrmann et al. )  
Application No.: )  
Filed: Herewith )  
For: **SURGICAL CLIP** )

## DRAWING REVIEW BRANCH

Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV 046687078 US) addressed to BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231 on January 15, 2002.

By: Carol Prentice

## TRANSMITTAL OF FORMAL DRAWINGS

Dear Sir:

Enclosed are two (2) sheets of formal drawings for filing in  
the above-referenced patent application.

Please advise the undersigned attorney if correction is necessary.

Respectfully submitted,

*[Signature]*

Date: January 15, 2002  
**ATTORNEY DOCKET NO.: HOE-670**